

Exhibit 7



Neutral

As of: August 31, 2015 11:27 AM EDT

Residential Funding Co., LLC v. First Guar. Mortg. Corp.

United States District Court for the District of Minnesota

May 13, 2014, Decided; May 13, 2014, Filed

Civ. No. 13-3475 (RHK/JJG); Civ. No. 13-3490 (RHK/FLN); Civ. No. 13-3504 (RHK/SER); Civ. No. 13-3511 (RHK/FLN); Civ. No. 13-3514 (RHK/TNL)

Reporter

2014 U.S. Dist. LEXIS 182287

Residential Funding Company, LLC, Plaintiff, v. First Guaranty Mortgage Corporation, Defendant. Residential Funding Company, LLC, Plaintiff, v. First Mortgage Corporation, Defendant. Residential Funding Company, LLC, Plaintiff, v. Cornerstone Home Lending, Inc., Defendant. Residential Funding Company, LLC, Plaintiff, v. Sierra Pacific Mortgage Company, Inc., Defendant. Residential Funding Company, LLC, Plaintiff, v. First Citizens Bank and Trust Company, Inc., Defendant.

Subsequent History: Motion denied by [Residential Funding Co., LLC v. First Mortg. Corp., 2014 U.S. Dist. LEXIS 154893 \(D. Minn., Aug. 1, 2014\)](#)

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For Residential Funding Company, Llc, Plaintiff (0:13cv3490): Anthony Alden, Erica P Taggart, Isaac Nesser, LEAD ATTORNEYS, PRO HAC VICE, Quinn Emanuel Urquhart & Sullivan, New York, NY USA; David Elsberg, Peter E. Calamari, LEAD ATTORNEYS, PRO HAC VICE, Quinn Emanuel Urquhart & Sullivan LLP, New York, NY USA; Donald G Heeman, Marnie E Fearon, Richard R Voelbel, Ryan A Olson, Jessica J Nelson, David L Hashmall, LEAD ATTORNEYS, Felhaber Larson, Mpls, MN USA; Jeffrey A Lipps, LEAD ATTORNEY, Carpenter Lipps & Leland LLP, Columbus, OH USA.

For First Mortgage Corporation, Defendant (0:13cv3490): Gene A Hoff, LEAD ATTORNEY, Minenko & Hoff, Edina, MN USA; Michael J Minenko, Minenko & Hoff, P.A., Edina, MN USA.

For Residential Funding Company, Llc, Plaintiff (0:13cv3504): Anthony Alden, Erica P Taggart, Isaac Nesser, LEAD ATTORNEYS, PRO HAC VICE, Quinn Emanuel Urquhart & Sullivan, New York, NY USA; David Elsberg, Peter E. Calamari, LEAD ATTORNEYS, PRO HAC VICE, Quinn Emanuel Urquhart & Sullivan LLP, New York, NY USA; Donald G Heeman, Marnie E Fearon, Richard R Voelbel, Ryan A Olson, Jessica J Nelson, [*3] David L Hashmall, LEAD ATTORNEYS, Felhaber Larson, Mpls, MN USA; Jeffrey A Lipps, LEAD ATTORNEY, Carpenter Lipps & Leland LLP, Columbus, OH USA.

For Cornerstone Home Lending, Inc., formerly known as Cornerstone Mortgage Company, Defendant (0:13cv3504): Alan H Maclin, Daniel J Supalla, Mark G Schroeder, LEAD ATTORNEYS, Briggs & Morgan, PA, Mpls, MN USA; Allison M. Lange Garrison, LEAD ATTORNEY, Norton Rose Fulbright US LLP, Mpls, MN USA; Andre T Hanson, Robert J Pratte, Margaret Rudolph, LEAD ATTORNEYS, Fulbright & Jaworski LLP, Mpls, MN USA.

For Residential Funding Company, Llc, Plaintiff, Counter Defendant (0:13cv3511): Anthony Alden, Erica P Taggart, Isaac Nesser, LEAD ATTORNEYS, PRO HAC VICE, Quinn Emanuel Urquhart & Sullivan, New York, NY USA; David Elsberg, Jonathan E Pickhardt, Peter E. Calamari, LEAD ATTORNEYS, PRO HAC VICE, Quinn Emanuel Urquhart & Sullivan LLP, New York, NY USA; Donald G Heeman, Marnie E Fearon, Richard R Voelbel, Ryan A Olson, LEAD ATTORNEYS, Jessica J Nelson, David L Hashmall, Felhaber Larson, Mpls, MN USA; Jeffrey A Lipps, Jennifer A L Battle, LEAD ATTORNEYS, Carpenter Lipps & Leland LLP, Columbus, OH USA.

For Sierra Pacific Mortgage Company, Inc., Defendant, [*4] Counter Claimant (0:13cv3511): Amy L Schwartz, Richard T Thomson, LEAD ATTORNEYS, Lapp Libra Thomson Stoebner & Pusch, Chartered, Mpls, MN USA; Jonathan M Jenkins, LEAD ATTORNEYS, PRO HAC VICE, JENKINS KAYAYAN LLP, Los Angeles, CA USA; Lara Kayayan, LEAD ATTORNEYS, PRO HAC VICE, Jenkins LLP, Los Angeles, CA USA.

For Rescap Liquidating Trust, Counter Defendant (0:13cv3511): Donald G Heeman, Jessica J Nelson, Marnie E Fearon, Richard R Voelbel, Ryan A Olson, LEAD ATTORNEYS, Felhaber Larson, Mpls, MN USA; Erica P Taggart, LEAD ATTORNEY, PRO HAC VICE, Quinn Emanuel Urquhart & Sullivan, New York, NY USA.

Judges: RICHARD H. KYLE, United States District Judge.

Opinion by: RICHARD H. KYLE

Opinion

ORDER

These are five of approximately 60 actions filed in this Court in December 2013 by Plaintiff Residential Funding Company, LLC ("RFC"). Each alleges that the Defendant sold mortgages to RFC pursuant to a purchase agreement, but that the mortgages failed to conform to various representations and warranties made by the Defendant. In commencing the actions, RFC specifically alleged that venue was proper here because "a substantial part of the events and omissions giving rise to" its causes of action "occurred in Minnesota" and [*5] because "the parties have contractually agreed that Minnesota is an appropriate venue." (E.g., Compl. ¶ 15, Civ. No. 13-3514.) Indeed, each contract at issue in these actions contains a *mandatory* forum-selection clause providing that "[e]ach of the parties *irrevocably submits* to the jurisdiction of any state

or federal court located in Hennepin County, Minnesota, over any action, suit or proceeding to enforce or defend any right under this Contract” and further provides that the parties “irrevocably waive[] the defense of an inconvenient forum.” (E.g., Doc. No. 22-1, Civ. No. 13-3504 (emphasis added).) Despite these allegations, and despite the mandatory forum-selection clauses, RFC now moves to transfer each of these actions to the United States District Court for the Southern District of New York — where they (ostensibly) will be automatically referred to the Southern District of New York Bankruptcy Court — because they involve issues over which the Bankruptcy Court “has extensive knowledge” due to RFC’s previous bankruptcy filing.

RFC’s Motions are easily rejected; indeed, the Court is not painting on a blank slate. As noted above, RFC has commenced dozens of other actions asserting the same claims, and it appears to have filed the same cookie-cutter motion to transfer in each of them. Although most of those motions remain pending, at least one Judge of this Court has rejected RFC’s arguments and denied its motion. See [*Residential Funding Co. v. Cherry Creek Mortgage Co.*, Civ. No. 13-3449, 2014 U.S. Dist. LEXIS 59159, 2014 WL 1686516 \(D. Minn.](#)

[Apr. 29, 2014\)](#) (Ericksen, J.). The undersigned fully agrees with [Cherry Creek](#). Accordingly, the Court will not engage in an “affectation of research and a pretense of authorship and originality,” [N. PCS Servs., LLC v. Sprint Nextel Corp.](#), Civ. No. 05-2744, 2007 U.S. Dist. LEXIS 22152, 2007 WL 951546, at * (D. Minn. Mar. 27, 2007), [*6] but instead will simply adopt here Judge Ericksen’s reasoning and conclusion.

Based on the foregoing, and all the files, records, and proceedings herein, and for the reasons stated in [Cherry Creek](#), **IT IS ORDERED** that RFC’s Motions to Transfer Venue (Doc. No. 8 in Civ. No. 13-3475; Doc. No. 11 in Civ. No. 13-3490; Doc. No. 13 in Civ. No. 13-3504; Doc. No. 52 in Civ. No. 13-3511; Doc. No. 9 in Civ. No. 13-3514) are **DENIED**. The hearing on the Motions currently scheduled for May 22, 2014, is **CANCELED**.

Dated: May 13, 2014

/s/ Richard H. Kyle

RICHARD H. KYLE

United States District Judge